

EXPRESS MAIL NO. EV020611412US

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/975,749	10/10/2001	Eric P. Gibbs	480180.401

CONFIRMATION NO. 9367

FORMALITIES LETTER



OC00000007049175

SEED INTELLECTUAL PROPERTY LAW GROUP PLLC
701 FIFTH AVE
SUITE 6300
SEATTLE, WA 98104-7092

Date Mailed: 11/09/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 370 to complete the basic filing fee for a small entity.
- Total additional claim fee(s) for this application is \$105.
 - \$63 for 7 total claims over 20.
 - \$42 for 1 independent claims over 3 .
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 540.

*A copy of this notice **MUST** be returned with the reply.*

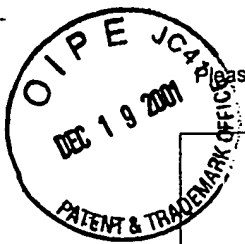
FLAYCON

Customer Service Center

Initial Patent Examination Division (703) 308-1202

12/28/2001 HTECKLU1 00000005 09975749 PART 2 - COPY TO BE RETURNED WITH RESPONSE

01 FC:201	370.00 00
02 FC:203	63.00 00
03 FC:205	42.00 00
04 FC:206	55.00 00



12/27/01

Sector#

EXPRESS MAIL NO. EV020611412US

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(To be used for all correspondence after initial filing)


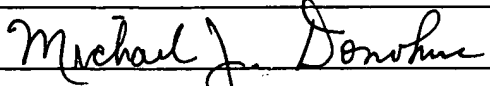
Application Number	09/975,749
Filing Date	October 10, 2001
First Named Inventor	Eric P. Gibbs
Group Art Unit	2681
Examiner Name	
Attorney Docket No.	480180.401

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> CD(s), Number of CD(s) _____
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Amendment/Response	<input type="checkbox"/> Request for Corrected Filing Receipt	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> After Final	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Express Abandonment Request	<input checked="" type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address	<input checked="" type="checkbox"/> Return Receipt Postcard
<input type="checkbox"/> Information Disclosure Statement; Form PTO-1449	<input checked="" type="checkbox"/> Declaration	<input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below):
<input type="checkbox"/> Cited References	<input checked="" type="checkbox"/> Statement under 37 CFR 3.73(b)	<u>Copy of Notice to File Missing Parts</u>
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Terminal Disclaimer	<u>Application Data Sheet</u>
<input checked="" type="checkbox"/> Response to Missing Parts under 37 C.F.R. 1.52 or 1.53	<input type="checkbox"/> Small Entity Statement	<u>Copy of Assignment</u>
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	<input type="checkbox"/> Request for Refund	

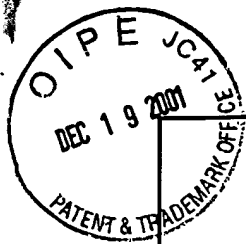
Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Individual Name	Michael J. Donohue	 00500 PATENT TRADEMARK OFFICE
Signature		
Date	December 19, 2001	

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on the date specified below.		
Typed or printed name		
Signature		Date:



EXPRESS MAIL NO. EV020611412US
PTO/SB/17 (11-00)
Approved for use through 10/31/2002. OMB 0651-0032

FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$) **540**

Complete if Known

Application Number **09/975,749**
Filing Date **October 10, 2001**
First Named Inventor **Eric P. Gibbs**
Examiner Name
Group Art Unit **2681**
Attorney Docket No. **480180.401**

METHOD OF PAYMENT

☒ Payment Enclosed:
☒ Check ☐ Credit card ☐ Money Order ☐ Other
☐ Deposit Account:
Deposit Account Number **19-1090**
Deposit Account Name **Seed Intellectual Property Law Group PLLC**
The Commissioner is authorized to (check all that apply)
☐ Charge fee(s) indicated below ☒ Credit any overpayments
☐ Charge any additional fee(s) during the pendency of this application
☐ Charge fee(s) indicated below, except for the filing fee
☒ Charge any deficiencies
to the above-identified deposit account.
☒ Applicant claims small entity status. See 37 CFR 1.27.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
101	740	201	370	Utility filing fee	370
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	
SUBTOTAL (1)					(\$ 370)

2. EXTRA CLAIM FEES

Total Claims	27	-20** =	7	Extra Claims	Fee from below	9	=	63	Fee Paid
Independent Claims	4	-3** =	1			42	=	42	
Multiple Dependent							=		

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
103	18	203	9	Claims in excess of 20	
102	84	202	42	Independent claims in excess of 3	
104	280	204	140	Multiple dependent claim, if not paid	
109	84	209	42	** Reissue independent claims over original patent	
110	18	210	9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)					(\$ 105)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
105	130	205	65	Surcharge - late filing fee or oath	65
127	50	227	25	Surcharge - late provisional filing fee or cover sheet.	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) **(\$ 65)**

SUBMITTED BY

Name (Print/Type) **Michael J. Donohue** Registration No. **35,859**
Firm Name/Address
Signature *Michael J. Donohue* Date **December 19, 2001**



00500

PATENT TRADEMARK OFFICE



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Eric P. Gibbs et al.
Application No. : 09/975,749
Filed : October 10, 2001
For : SYSTEM AND METHOD FOR DATA TRANSFER
OPTIMIZATION IN A PORTABLE AUDIO DEVICE

Art Unit : 2681
Docket No. : 480180.401
Date : December 19, 2001

Box Missing Parts
Commissioner for Patents
Washington, DC 20231

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Commissioner for Patents:

In response to the Notice to File Missing Parts dated November 9, 2001, please find enclosed the following documents:

 X Fee
 X Oath/Declaration
 X Copy of Notice to File Missing Parts
 Sheets of Formal Drawings

Respectfully submitted,
Eric P. Gibbs et al.
Seed Intellectual Property Law Group PLLC



Michael J. Donohue
Registration No. 35,859